

Message Text

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15

ACTION L-03

INFO OCT-01 IO-13 ADP-00 COA-02 EB-11 OIC-04 CIAE-00

DODE-00 PM-07 H-03 INR-10 NSAE-00 NSC-10 PA-03 RSC-01

PRS-01 SS-15 USIA-15 ACDA-19 AEC-11 AGR-20 CG-00

COME-00 DOTE-00 FMC-04 INT-08 JUSE-00 NSF-04 OMB-01

TRSE-00 SCI-06 CEQ-02 RSR-01 AF-10 ARA-16 EA-11

EUR-25 NEA-10 (ADP) W

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R 250600Z JUL 73

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TO SECSTATE WASHDC 725

INFO USMISSION USUN

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E.O.11652 NA

TAGS PBOR UN

SUBJ LOS: SEABED MEETING, SUMMARY OF THIRD WEEK

1. OVERALL SUMMARY. DURING THIRD WEEK OF EIGHT WEEK SESSION OF SEABED COMMITTEE U.S. INTRODUCED THREE SETS OF DRAFT ARTICLES ON COASTAL SEABED ECONOMIC AREA, MARINE POLLUTION AND SCIENTIFIC RESEARCH. NUMBER OF OTHER STATES ALSO INTRODUCED DRAFT PROPOSALS AND MAJORITY OF WEEK WAS SPENT EXPLAINING THESE WORKING PAPERS ALTHOUGH SOME DRAFTING OF ALTERNATIVE TREATY TEXTS DID CONTINUE IN SUBCOMMITTEES I (SEABED REGIME) AND III (MARINE POLLUTION AND SCIENTIFIC RESEARCH). TEXT OF U.S. DRAFT ARTICLES AND EXPLANATORY SPEECHES BEING POUCHED TO POSTS BY DEPARTMENT.

2. MAIN COMMITTEE. A. MAIN COMMITTEE MET ONCE. AMB PARDO (MALTA) CRITICIZED BOTH PROCEDURE AND SUBSTANCE OF U.S. INITIATIVES ON MARINE POLLUTION IN IMCO COUNCIL. HE SAID U.S. PROPOSALS FAIL TO GRANT RIGHT OF ACTION AGAINST COASTAL STATE AND FLAG STATE
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WHERE WARRANTED. HE PARTICULARLY OBJECTED TO CHANGING IMCO'S

RESPONSIBILITY BY WHAT HE TERMED "SURREPTITIOUS MEANS". HE SAID PROPER PROCEDURE WOULD BE TO AMEND IMCO CONVENTION IF IMCO IS TO BE USED.

B. ZEGERS (CHILE) SUPPORTED MALTESE COMMENTS ON IMCO COMPETENCE AND STATED IMCO WOULD BE EXCEEDING ITS MANDATE BY ARRIVING AT FINAL DECISIONS.

C. USREP STEVENSON INDICATED DISAGREEMENT WITH MALTESE AND CHILEAN COMMENTS, BUT IN LIGHT OF REQUEST BY COMMITTEE CHAIRMAN, SAID HE WOULD NOT ENGAGE IN SUBSTANTIVE DEBATE.

D. PERU ASSOCIATED ITSELF WITH CHILE AND MALTA. KENYA WARNED CONCLUSIONS UNACCEPTABLE WHEN ARRIVED AT IN FORUM IN WHICH IT WAS NOT REPRESENTED. CANADA (BEESLEY) WANTED TO SEE FURTHER DISCUSSION THIS ISSUE IN SC-III (DEALING WITH MARINE POLLUTION) AND HINTED VAGUELY AT POSSIBLE NEED FOR NEW MACHINERY.

3. SUBCOMMITTEE I. A. WORKING GROUP (WG OF SC-1 CONTINUED WITH INTENSIVE EXAMINATION OF POWERS AND FUNCTIONS OF ASSEMBLY OF PROPOSED INTERNATIONAL SEABED AUTHORITY. WG HAS NOW COMPLETED FIRST CONSIDERATION OF A LARGE VARIETY OF FUNCTIONS AND HAS DESIGNATED IN MOST CASES WHETHER FUNCTIONS SHOULD BE ASSIGNED TO ASSEMBLY OR NOT. THESE FUNCTIONS INCLUDE ADMINISTRATIVE AND HOUSE-KEEPING ISSUES; DISPUTE SETTLEMENT; SUSPENSION FROM MEMBERSHIP; BENEFIT-SHARING; SCIENTIFIC RESEARCH; PROMULGATION OF RULES, STANDARDS AND PRACTICES; EXPLORATION AND EXPLOITATION; COMMODITY PRICE CONTROL; LICENSING; CONTRACTS AND JOINT VENTURES; AND THE ENTERPRISE CONCEPT. SOME ISSUES WERE PASSED OVER WITH VIRTUALLY NO DEBATE, WG HAVING DECIDED TO RESERVE DETAILED CONSIDERATION UNTIL LATER. OTHER FUNCTIONS WERE GONE INTO IN DETAIL.

B. LDC MEMBERS OF WG GENERALLY FAVORED GIVING MAXIMUM POWERS TO ASSEMBLY WHEREAS U.S. AND SEVERAL OTHER DEVELOPED COUNTRIES FAVORED USE OF COUNCIL, SPECIALIZED BODIES, OR OTHER MECHANISMS FOR CARRYING OUT THESE FUNCTIONS. U.S. LAID STRESS ON U.S. PROPOSALS TO INCLUDE IN TREATY RULES AND RECOMMENDED PRACTICES AND U.S. PROPOSAL ON SYSTEM FOR AMENDING AND UPDATING SUCH RULES AND PRACTICES BY GOING DIRECTLY TO STATE'S PARTIES.

C. SPECIAL DRAFTING GROUP OF WG REVIEWED VARIOUS DRAFTS AND PREPARED ALTERNATE OR AGREED TEXTS. WG HAS NOW BEGUN ON FIRST CONSIDERATION OF POWERS AND FUNCTIONS OF COUNCIL.

D. AT CLOSE OF FINAL SESSION, WG CHAIRMAN PINTO (SRI LANKA)
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ANNOUNCED THAT SC-1 CHAIRMAN ENGO HAS DECIDED TO BRING WG TO AN END BY 31 JULY. A NUMBER OF DELS, INCLUDING U.S., INTERVENED STRONGLY TO STATE THAT WG NEEDED MORE TIME TO PREPARE DRAFT TEXTS.

4. SUBCOMMITTEE II A. NINETEEN PROPOSALS, INCLUDING U.S. WORKING PAPER ON COASTAL SEABED ECONOMIC AREA, WERE SUBMITTED TO SUBCOMMITTEE II THIS WEEK. SECRETARIAT IS PREPARING COMPARATIVE TABLE OF ALL PROPOSALS BEFORE SUBCOMMITTEE AND CHAIRMAN OF WORKING

GROUP OF WHOLE IS PREPARING CONSOLIDATED TEXT ON TERRITORIAL SEA MATTERS ON WHICH PRELIMINARY DEBATE HAS BEEN CONCLUDED.

B. WORKING GROUP DISCUSSION CENTERED ON CONTINENTAL SHELF, EXCLUSIVE ECONOMIC ZONE AND PREFERENTIAL RIGHTS BEYOND TERRITORIAL SEA. GREECE AND CYPRUS AND ON ONE HAND AND TURKEY AND TUNISIA ON OTHER, ENGAGED IN EXTENSIVE EXCHANGE OVER RIGHTS TO BE ACCORDED ISLANDS. MAJOR DIFFERENCES CONTINUED OVER WHETHER COASTAL STATES HAD ACQUIRED RIGHTS TO CONTINENTAL SHELF RESOURCES BEYOND 200 MILES.

C. USREP (JOHN R. STEVENSON) DELIVERED EXPLANATORY STATEMENT INTRODUCING DRAFT ARTICLES ON COASTAL SEABED ECONOMIC AREA. TEXT OF SPEECH AND ARTICLES BEING POUCHED TO POSTS BY DEPARTMENT.

D. MANY OTHER DELEGATIONS, BESIDES U.S., INTRODUCED OR CO-SPONSORED DRAFT ARTICLES AND EXPLAINED POSITIONS TAKEN. HIGHLIGHTS FOLLOW. ECUADOR, PERU AND PANAMA CO-SPONSORED COMPREHENSIVE WORKING PAPER ON SUBCOMMITTEE II ISSUES. BRAZIL INTRODUCED TERRITORIAL SEA ARTICLES. AUSTRALIA AND NORWAY CO-SPONSORED ECONOMIC ZONE PROPOSAL. ITALY SUBMITTED FREE TRANSIT ARTICLE FOR INTERNATIONAL STRAITS EXCEPT STRAITS LESS THAN 6 MILES WIDE WITHIN ONE STATE AND WHERE THERE IS AN ALTERNATE ROUTE. CHINA (PRC) INTRODUCED WORKING PAPER ON TERRITORIAL SEA ECONOMIC ZONE. KENYA, CANADA, INDIA, SRILANKA, SENEGAL AND MADAGASCAR CO-SPONSORED FISHERIES ARTICLES. FIFTEEN AFRICAN STATES INTRODUCED DRAFT ARTICLES ON EXCLUSIVE ECONOMIC ZONE BASED ON OAU DECLARATION. SIX LANDLOCKED/DISADVANTAGED STATES SUBMITTED DRAFT ARTICLES ON COASTAL STATE RESOURCE JURISDICTION.

E. IN OTHER DEVELOPMENTS, U.K. EXPRESSED SUPPORT FOR 200-MILES OR EDGE OF CONTINENTAL MARGIN FOR OUTER LIMIT OF COASTAL STATE SEABED RESOURCE JURISDICTION. JAPAN NOTED EMERGING CONSENSUS ON SINGLE UNIFORM 200-MILE DISTANCE CRITERION FOR CONTINENTAL SHELF RIGHTS AND FAVORED EQUIDISTANCE PRINCIPLE FOR SHELF DELIMITATION. USSR PROPOSED 500 METER WATER DEPTH LINE OR 100 MILES, UNCLASSIFIED

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WHICHEVER WAS GREATER, FOR OUTER LIMIT OF CONTINENTAL SHELF RESOURCE RIGHTS.

5. SUBCOMMITTEE III

A. SUBCOMMITTEE III MET TWICE THIS WEEK WITH DISCUSSION ON TRANSFER OF TECHNOLOGY. U.S. INTRODUCED DRAFT ARTICLES ON MARINE POLLUTION AND SCIENTIFIC RESEARCH AND SPOKE ON THE TRANSFER OF TECHNOLOGY AS WELL.

B. CANADA INTRODUCED A WORKING PAPER WHICH CONTAINED AMENDMENTS TO THE IMCO DRAFT CONVENTION ON THE PREVENTION OF POLLUTION FROM SHIPS. (KENYA INTRODUCED ARTICLES ON MARINE POLLUTION.)

C. AN INFORMAL DRAFTING GROUP PRODUCED AN ARTICLE ON REGIONAL AND GLOBAL COOPERATION CONTAINING TWO ALTERNATE TEXTS. THE DRAFTING GROUP ALSO DRAFTED AN ARTICLE ON TECHNICAL ASSISTANCE. BASSIN

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